

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re VEECO INSTRUMENTS, INC. :  
SECURITIES LITIGATION :  
-----X  
-----X  
THIS DOCUMENT RELATES TO: :  
ALL ACTIONS :  
-----X

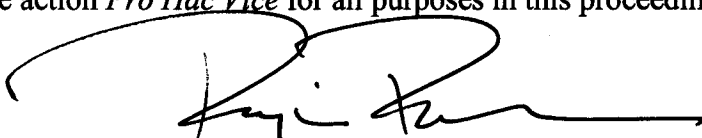
MDL No.: 7:05-md-01695-CM

NOTICE OF MOTION TO ADMIT  
COUNSEL *PRO HAC VICE*

FILED  
U.S. DISTRICT COURT  
2006 MAY -4 A 11:15  
S.D. OF N.Y. W.F.

**PLEASE TAKE NOTICE** that upon the annexed affidavit of Phyllis M. Parker, Esquire dated April 26, 2006, the undersigned will move this Court, pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, for an Order allowing Jeffrey L. Osterwise to appear as counsel on behalf of Lead Plaintiff Steelworkers Pension Trust and the Class certified in the above action *Pro Hac Vice* for all purposes in this proceeding.

DATED: April 26, 2006



Phyllis M. Parker  
(Admitted attorney *Pro Hac Vice* by  
Order of 11/16/05)  
**BERGER & MONTAGUE, P.C.**  
1622 Locust Street  
Philadelphia, PA 19109  
(215) 875-3000  
pparker@bm.net

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SOUTHERN DISTRICT OF NEW YORK**

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**AFFIDAVIT OF PHYLLIS M.  
PARKER IN SUPPORT OF MOTION  
TO ADMIT COUNSEL *PRO HAC VICE***

Commonwealth of Pennsylvania )  
 )  
County of Philadelphia )

ss:

I, Phyllis M. Parker, an attorney admitted to practice before the Courts of the Commonwealth of Pennsylvania and admitted to practice *Pro Hac Vice* before the Court in this action, hereby affirms, under penalties of perjury, as follows:

1. I am a senior associate of Berger & Montague, P.C. which is the Lead Counsel for Lead Plaintiff Steelworkers Pension Trust and the Class in this Action. I am a member in good standing of the bar of the Commonwealth of Pennsylvania. Pursuant to this Court's Order of November 16, 2005, I have been admitted to practice *Pro Hac Vice* in this action. I submit this affidavit in support of the motion of Jeffrey L. Osterwise that he be permitted to appear as counsel on behalf of Lead Plaintiff Steelworkers Pension Trust and the Class *Pro Vac Vice* for all purposes in this action, including, but not limited to, conferences, pleadings, motion practice, arguments and trial.

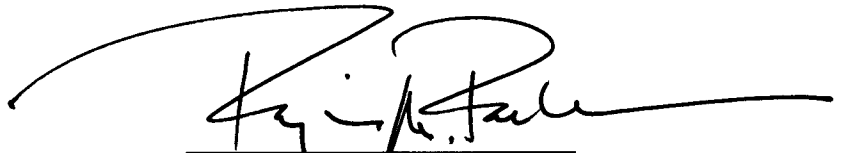
2. I am informed and believe that Jeffrey L. Osterwise is a member in good standing of the bar of the Commonwealth of Pennsylvania. Jeffrey L. Osterwise is an associate of Berger & Montague, P.C. which has its offices at 1622 Locust Street, Philadelphia, PA 19103-6365.

3. A Certificate of Good Standing from the Commonwealth of Pennsylvania for Jeffrey L. Osterwise is annexed as Exhibit A.

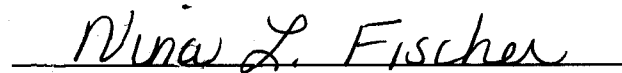
4. It is my belief that the requirements of Local Civil Rule 1.3(c) of this Court are fully satisfied.

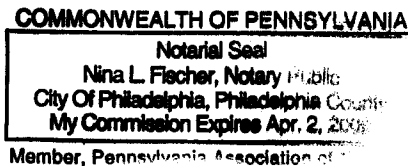
5. In its Order dated October 12, 2005 selecting Lead Plaintiff and Lead Counsel in this Action, the Court stated that it saw no need for and declined to appoint a local liaison counsel in this Action, because, *inter alia*, the attorneys from Berger & Montague who are appearing in this Action have been admitted *Pro Hac Vice* as temporary members of the Court and this is an electronic filing case. Accordingly, as a lawyer admitted to practice *Pro Hac Vice* in this action, I am respectfully submitting this affidavit in support of the motion without local counsel.

6 Accordingly, I respectfully request that the motion be granted and the Court sign the proposed order annexed as Exhibit B. The \$25.00 fee will be paid upon presentation of the Order to the Clerk.

  
Phyllis M. Parker

Subscribed and sworn to before me  
this 26<sup>th</sup> day of April, 2006.

  
Nina L. Fischer  
Notary Public, Commonwealth of Pennsylvania  
My commission expires:





Supreme Court of Pennsylvania

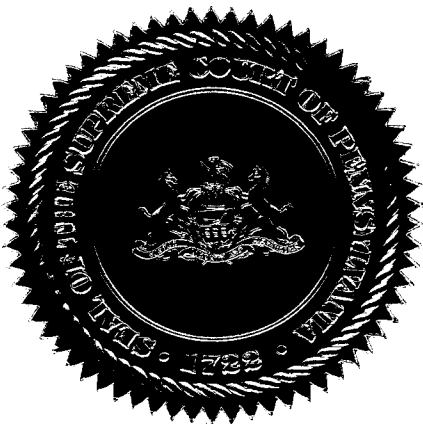
**CERTIFICATE OF GOOD STANDING**

***Jeffrey Laurence Osterwise, Esq.***

**DATE OF ADMISSION**

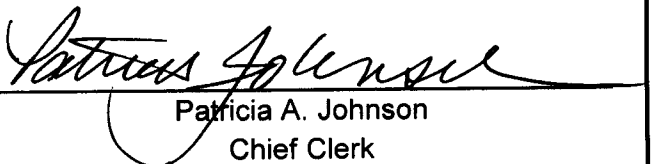
***November 2, 2005***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: April 19, 2006**

  
Patricia A. Johnson  
Chief Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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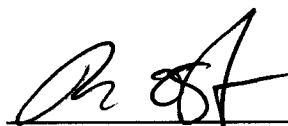
**AFFIDAVIT OF JEFFREY L. OSTERWISE  
IN SUPPORT OF MOTION TO ADMIT  
COUNSEL PRO HAC VICE**

Commonwealth of Pennsylvania )  
County of Philadelphia )

ss:

Jeffrey L. Osterwise, being duly sworn, hereby deposes and says:

1. I am an associate with the law firm of Berger & Montague, P.C.
2. I submit this affidavit in support of the motion for my admission to practice *Pro Hac Vice* in the above captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the bar of the Commonwealth of Pennsylvania.
4. There are no pending disciplinary proceedings against me in any state or federal court.
5. Wherefore, I respectfully submit that I be permitted to appear as counsel and advocate *Pro Hac Vice* in this one case.



Jeffrey L. Osterwise (PA #201859)  
Berger & Montague, P.C.  
1622 Locust Street  
Philadelphia, PA 19109  
(215) 875-3000  
[Josterwise@bm.net](mailto:Josterwise@bm.net)

Subscribed and sworn to before me  
this 25<sup>th</sup> day of April, 2006.

Nina L. Fischer

Notary Public, Commonwealth of Pennsylvania  
My commission expires:

